IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.176 OF 2006
IN
NOTICE OF MOTION NO.605 OF 2005
IN
WRIT PETITION NO.2267 OF 2004

The Chairman,
Shri Chhatrapati Shivaji Maharaj
Shikshan Sanstha & Anr. ....Appellants
V/s.
Chandrashekhar S. Tiwari & Ors. ....Respondents

Mr.G.S. Godbole for the Appellants.
Mr.Niranjan Shimpi for Respondent No.1.
Mr.L.T.Satelkar, A.G.P.for Respondent No.2.

CORAM : DR.S. RADHAKRISHNAN &
S.J. VAZIFDAR, JJ.
DATED : 29TH MARCH, 2006.

P.C. :

1. Heard the learned counsel for the Appellants and the Respondents.

2. By this Appeal, the Appellants are challenging the order dated 30.1.2005 passed by the learned single Judge. After hearing both the parties for some time, the learned advocate for the Appellants states that the Appellants have deposited Rs.3,00,000/- out of the back wages due and payable to Respondent No.1 for a period from June, 1997 till September, 2005 which comes to Rs.5,15,561/-.

3. Mr.Godbole, the learned advocate for the Appellants tendered a pay order in the sum of Rs.50,000/- drawn in favour of the Prothonotary and Senior Master towards the aforesaid back wages. Mr.Godbole, the learned advocate for the Appellants also assures on instructions that the balance will be paid within six months from today.

4. In view of above, we direct the Prothonotary and Senior Master to accept the aforesaid pay order of Rs.50,000/- within a week from today and also accept the remaining balance amount which will be deposited, within a period of six month. As soon as a pay order of Rs.50,000/- is deposited and whatever amount that is to say an amount of Rs.3,50,000/- be immediately invested in a nationalized bank in fixed deposit initially for a period of three years and to be renewed thereafter from time to time and even the balance amount as and when deposited to be invested in a nationalized bank in fixed deposit initially for a period of three years and to be renewed thereafter from time to time.

5. The Appeal stands disposed of. Liberty to both the parties to move before the learned single Judge.

6. Needless to say that the above amount deposited is without prejudice to all the rights and contentions of both the parties. The Respondents also will abide by the order that will be passed by the learned single Judge.

(DR.S. RADHAKRISHNAN, J.)

(S.J. VAZIFDAR, J.)